

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION**

Writ Petition No.1893 of 2006

Anil J Kale

Petitioner.

Vs

Mah Small Scale Ind Development
Corpn Ltd and Ors

..Respondents

Mr. V.S. Talkute for petitioner
Mrs Anjali Purav for respondents.**CORAM: SWATANTER KUMAR, C.J., &
SMT. RANJANA DESAI, J.****DATE: JULY 3, 2007.****P.C.:-**

The learned counsel for the respondents has brought in court demand draft in the name of the Prothonotary and Senior Master in relation to the payment due to the petitioner on account of encashment of privilege leave and differential subsistence allowance. She states that as far as the provident fund dues are concerned, the respondents will forward the papers to the Commissioner, Provident Funds and the petitioner may pursue the same with the Commissioner of Provident Fund in accordance with rules. In view of the statement made by the respondents, nothing survives in this petition. However, the learned counsel for the petitioner submits that the petitioner would be entitled to receive other amounts which have not been paid, primarily provident fund. In view of the statements made

by the respective parties, writ petition is disposed of with direction to the respondents to hand over the bank draft to the petitioner after duly issued in the name of the petitioner within a period of two weeks from today. The respondents shall forward the papers to the Provident Fund Commissioner within two weeks from today and the petitioner would be at liberty to withdraw the provident fund. This direction obviously is without prejudice to the rights and contentions of the respective parties.

Petition is disposed of accordingly with no order as to costs.

CHIEF JUSTICE

SMT. RANJANA DESAI. J.